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WELLPATH MANAGEMENT, INC.

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

ALAMEDA COUNTY MALE PRISONERS
And Former Prisoners, DANIEL GONZALEZ,
et al. on behalf of themselves and others
similarly situated, as a Class, and Subclass;
ALAMEDA COUNTY FEMALE
PRISONERS And Former Prisoners, JACLYN
MOHRBACHER, ERIN ELLIS, DOMINIQUE
JACKSON, CHRISTINA ZEPEDA, ALEXIS
WAH, AND KELSEY ERWIN, et al on behalf
of themselves and other similarly situated,

Plaintiffs,

v.

ALAMEDA COUNTY SHERIFF'S
OFFICE, ALAMEDA COUNTY, Deputy Joe,
Deputy Ignont (sp) Jane ROEs, Nos. 1 – 25;
WELLPATH MANAGEMENT, INC., a
Delaware Corporation (formerly known as
California Forensic Medical Group) a
corporation; its Employees and Sub-
Contractors, and Rick & Ruth ROEs Nos. 26-
50; **ARAMARK CORRECTIONAL**
SERVICES, LLC, a Delaware Limited
Liability Company; its Employees and Sub-
Contractors, and Rick & Ruth ROES Nos.
51-75,

Defendants.

Case No.: 3:19-cv-07423 JSC

**DECLARATION OF JEMMA
PARKER SAUNDERS RE
ECF NO. 320, COURT'S ORDER
TO PLAINTIFF MICHAEL
LOCKHART TO APPEAR FOR
DEPOSITION**

Action Filed: November 12, 2019
Judge: Hon. Jacqueline Scott Corley
Cttrm: E—15th Floor

3:19-cv-07423 JSC

**DECLARATION OF JEMMA PARKER SAUNDERS RE ECF NO. 320, COURT'S ORDER TO PLAINTIFF
MICHAEL LOCKHART TO APPEAR FOR DEPOSITION**

1 I, Jemma Parker Saunders Declare:

2 1. I am an attorney at law licensed to practice before all Courts of the State of
3 California and before this District Court. I am a member of Bertling Law Group, counsel
4 of record for Defendant Wellpath in this action. The facts set forth in this declaration are
5 based on my personal knowledge.

6 2. On August 21, 2023, Plaintiffs' counsel advised Defendants Mr. Lockhart
7 would not be appearing for his deposition and the deposition would not be rescheduled.
8 Plaintiffs' counsel thereafter declined to join in a stipulation to dismiss Mr. Lockhart's
9 claims. On September 22, 2023, at ECF No. 317, Defendants sought a court order
10 compelling Mr. Lockhart to appear for deposition.

11 3. On September 25, 2023, at ECF No. 320, this Court Ordered Defendants to
12 serve a deposition notice on plaintiffs' counsel noticing the deposition of Mr. Lockhart
13 for October 5, 2023, by 5:00 p.m. on September 25, 2023. The Court also Ordered:
14 "Plaintiffs' counsel shall serve Mr. Lockhart with a copy of this Order and the
15 information regarding the time and place of the deposition. Plaintiffs' counsel shall file
16 proof of service by noon, September 26, 2023." ECF No. 320, p.2.

17 4. On behalf of Wellpath, at 4:12 p.m. on September 25, 2023, my office served
18 the Amended Notice of Taking Deposition of Mr. Lockhart on all counsel. Attached to
19 this declaration as **Exhibit A** is a true and correct copy of my deposition notice, with the
20 proof of service. Also attached at **Exhibit A** is a copy of the service email from my
21 office denoting the date, time, and confirmation of service.

22 5. As of approximately 2:30 p.m. on September 26, 2023, plaintiffs' counsel has
23 failed to comply with this Court's Order at ECF No. 320. Plaintiffs' counsel has not
24 provided either my office or this Court with any form of proof of service on Mr. Lockhart
25 of the deposition notice or the Order of this Court. Defendants have no assurance of
26 plaintiffs' compliance with ECF No. 320 or any efforts to have Mr. Lockhart attend his
27 deposition. Given plaintiffs' non-compliance, defendants respectfully submit Mr.
28 Lockhart's claims should be dismissed in accord with the Order at ECF No. 320.

1 I declare under penalty of perjury under the laws of the United States of America
2 and the State of California that the forgoing is true and correct and that if called to do, I
3 could and would competently testify thereto. Executed on September 26, 2023, at Santa
4 Barbara, California.

5
6 /s/ Jemma Parker Saunders

7 Jemma Parker Saunders

8 Declarant
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